



"Ginsberg, Benjamin"
<BGinsberg@PattonBoggs.com>
m>

06/11/2007 11:28 AM


To <hybridads@fec.gov>

cc

bcc

Subject Comment on Hybrid Communications Rulemaking

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message.rmsg



David Taylor/FEC/US
06/12/2007 03:05 PM

To Esa Sferra/FEC/US@FEC
cc hybridads@fec.gov, Theresa Hemmick/FEC/US@FEC
bcc
Subject Fw: Letter to Amy L. Rothstein

Here is a re-transmitted, readable copy of the unreadable email message.

David L. Taylor, Sr.
Manager, ITD Desktop Support Team
Federal Election Commission
202 694-1256
dtaylor@fec.gov

----- Forwarded by David Taylor/FEC/US on 06/12/2007 03:03 PM -----

"Taylor, Jeanette" <JTaylor@PattonBoggs.com>

06/12/2007 03:01 PM

To <dtaylor@fec.gov>
cc
Subject Letter to Amy L. Rothstein

Mr. Taylor -

Here is another .pdf copy of the Hybrid Communications Rulemaking letter. If you have any problems with it, let me know.

Thank you.

Jeanette M. Taylor
Assistant to Ben Ginsberg
Patton Boggs LLP
2550 M Street, N.W.
Washington, D.C. 20037
(202) 457-6023
jtaylor@pattonboggs.com

<<Rothstein Letter.pdf>>

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Rothstein Letter.pdf

June 11, 2007

Benjamin L. Ginsberg
202-457-6405
bginsberg@pattonboggs.com

VIA EMAIL TO: hybridads@fec.gov

Amy L. Rothstein, Esquire
Assistant General Counsel
Federal Election Commission
Washington, D.C. 20463

RE: Hybrid Communications Rulemaking

Dear Ms. Rothstein:

The Commission should bear in mind that its rulemaking concerning Hybrid Communications will have a major impact on the future viability of the Presidential Election Campaign Fund.

Given the inevitability of ever-increasing spending by 527 groups as a result of the Commission's decision not to adopt a comprehensive rule and by 501(c) organizations concerned about the issues facing the country, the 2008 general election Presidential campaigns will need hybrid ads with their party committees. The Commission should, at the least, confirm the permissibility of the attribution method discussed in the *Final Audit Report* addressed on page 26,570 of its Notice of Proposed Rulemaking.¹ Otherwise the campaigns will rightly fear that their message will be submerged in the torrent of special interests communications encouraged by the statutory and regulatory scheme that exists now as a result of McCain-Feingold.

If the Commission reduces the role of hybrid communications as used by both the Republican and Democratic nominees and national party committees in the 2004 general election, it exponentially increases the likelihood the 2008 general election nominees will reject taxpayer funding of their campaigns as simply not realistic.

Such a decision by the Commission will prove the death knell for the Presidential public financing system.

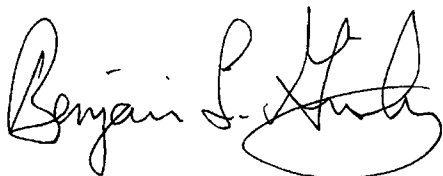
¹ The Commission's Notice of Proposed Rulemaking does not address its ruling in Advisory Opinion 2004-1 (Alice Forgy Kerr for Congress), which provided the legal rationale and authority for the use of the time and space method attributing the cost of Hybrid Communications.

Amy L. Rothstein, Esquire
June 11, 2007
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I offer this not-really-remarkable comment as an attorney for past presidential campaigns and not on behalf of any current or past campaign or any political party committee.

Thank you for considering this comment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Benjamin L. Ginsberg". The signature is fluid and cursive, with a large loop at the end of the last name.

Benjamin L. Ginsberg

BLG/jmt